

MINUTES

CASE NUMBER: CR 04-00243DAE
CASE NAME: USA v. (02)Wesley Uemura
ATTYS FOR PLA: Larry L. Tong
Lawrence A. Goya
ATTYS FOR DEFT: (02)Clifford B. Hunt
USPO: Ellie Asasaki

JUDGE:	David Alan Ezra	REPORTER:	Cynthia Fazio
DATE:	10/03/2007	TIME:	9:00am-10:05am

COURT ACTION: EP: Sentencing to Counts 1 and 20-33 of the Second Superseding Indictment as to Defendant (02)Wesley Uemura.

Defendant (02)Wesley Uemura present, not in custody.

Presentence Report adopted. Sentencing recommendations heard. Allocution by Defendant (02)Wesley Uemura.

SENTENCE:

Imprisonment: 42 MONTHS, as to each of Counts 1 and 20-33 of the Second Superseding Indictment, with all such terms to run concurrently

Supervised Release: 3 YEARS, as to each of Counts 1 and 20-33 of the Second Superseding Indictment, with all such terms to run concurrently

CONDITIONS:

1. Defendant shall abide by the standard conditions of supervision.
2. Defendant shall not commit any federal, state, or local crimes.
3. Defendant shall not possess illegal controlled substances.
4. Defendant shall cooperate in the collection of DNA as directed by the probation officer.

5. The Court shall waive the mandatory drug test condition because the defendant does not have a recent history of substance abuse and the offense is not drug-related. [The condition would have required Defendant to submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter, but no more than 8 valid drug tests per month during the term of supervised release.]
6. Defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. The restitution of \$3,887,944.25, plus \$689,685 investigative costs, for a total of \$4,577,629.25, is owed jointly and severally with codefendants Dennis Hirokawa, Richard Okada, and Michael Furukawa, and due immediately to the State of Hawaii, Department of Transportation - Airports Division. Defendant shall also be given credit for restitution paid to the State of Hawaii by Arthur Inada, Herbert Hirota, Bert Shiosaki, and Roy Yoshida in their state criminal cases. Any remaining balance upon release from confinement shall be paid during the period of supervision on an installment basis according to the collection policy of the Probation Office but at a rate of not less than 10 percent of this monthly gross income. Interest is waived.
8. Defendant shall execute all financial disclosure forms and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.

Special Assessment: \$1500.00. Fine: \$4,577,629.25

JUDICIAL RECOMMENDATIONS: Any Prison Camp on the West Coast, preferably in Southern California. Treatment of medical conditions. Educational opportunities. Mental health treatment.

Defendant advised of his right to appeal.

Mittimus is stayed until 1/15/2008.

Defendant to self-surrender @2:00 p.m. on 1/15/2008 at the facility designated by the Bureau of Prisons. The time is the time at the facility.

Current bail conditions of release to continue.

Submitted by: Theresa Lam, Courtroom Manager